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2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT TACOMA

5 ROBERT DEAN HEAGY,

6 Petitioner,

7 v.

8 STEPHEN D. SINCLAIR,

9 Respondent.

CASE NO. C13-5394 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

10 This matter comes before the Court on the Report and Recommendation ("R&R")
11 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 23. The Court
12 having considered the R&R and the remaining record, and no objections having been
13 filed, does hereby find and order as follows:

- 14 (1) The R&R is **ADOPTED**;
- 15 (2) The Court dismisses this petition as time barred;
- 16 (3) No certificate of appealability will be issued; and
- 17 (4) This case is closed.

18 Dated this 2nd day of January, 2014.

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21 BENJAMIN H. SETTLE
22 United States District Judge